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23026 U.S. PTO

SUBSTITUTE for PTO/SB/05 (08-03) Utility Patent Application Transmittal
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCEUTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

19634YDACA

First Inventor or Application Identifier

Bruce L. Daugherty

Title

EOSINOPHIL EOTAXIN RECEPTOR

Express Mail Label No.

EV 321984100 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-14501. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)2. ☒ Specification [Total Pages 46]3. ☐ Drawing(s) (35 USC 113) [Total Sheets]

4. Oath or Declaration

a. ☐ Newly executed (original or copy)b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 14 completed)i. ☐ DELETION OF INVENTOR(S)Signed statement attached deleting
inventor(s) named in the prior
application, see 37 CFR 1.63(d)(2)
and 1.33 (b).5. ☐ Application Data Sheet. See 37 CFR 1.766. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)a. ☐ Computer Readable Form (CRF)b. ☐ Specification Sequence Listing on:i. ☐ CD-ROM or CD-R (2 copies); orii. ☐ paperc. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment papers (cover sheet & document(s))8. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney9. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations10. ☒ Preliminary Amendment11. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)12. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)13. ☐ Other: _____

14. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. 09/922,895

Prior application information: Examine: Prima Maria Mertz Group/Art Unit: 1646

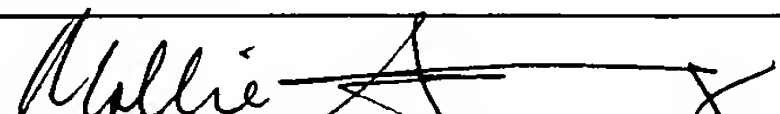
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.

15. CORRESPONDENCE ADDRESS

☒ Customer Number

Customer No. 000210

NAME	Mollie M. Yang				
ADDRESS	Merck & Co., Inc., P. O. Box 2000 - Patent Dept., RY60-30				
CITY	Rahway	STATE	NJ	ZIP CODE	07065-0907
COUNTRY	USA	TELEPHONE	732-594-6343	FAX	732-594-4720

Name	Mollie M. Yang	Registration No. (Attorney/Agent)	32,718
Signature		Date	1/29/2004

EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT January 29, 2004

EXPRESS MAIL NO. EV 321984100 US

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE
UNITED STATES POSTAL SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE"
ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS,
P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

MAILED BY Lou Schepisi DATE January 29, 2004

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 19634YDACA
First Inventor or Application Identifier Bruce L. Daugherty
Title EOSINOPHIL EOTAXIN RECEPTOR
Express Mail Label No. EV 321984100 US

APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents.</i>		ADDRESS TO: Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	
1. <input checked="" type="checkbox"/> Fee Transmittal Form (Submit an original, and a duplicate for fee processing)		6. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)	
2. <input checked="" type="checkbox"/> Specification [Total Pages 46]		a. <input type="checkbox"/> Computer Readable Form (CRF)	
3. <input type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets]		b. <input type="checkbox"/> Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper	
4. Oath or Declaration		c. <input type="checkbox"/> Statements verifying identity of above copies	
a. <input type="checkbox"/> Newly executed (original or copy)		ACCOMPANYING APPLICATION PARTS	
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i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b).		8. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee)	<input type="checkbox"/> Power of Attorney
5. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76		9. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449	<input type="checkbox"/> Copies of IDS Citations
		10. <input checked="" type="checkbox"/> Preliminary Amendment	
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		13. <input type="checkbox"/> Other: _____	
14. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76: <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No. 09/922,895 Prior application information: Examine, Prima Maria Mertz Group/Art Unit: 1646 For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.			
15. CORRESPONDENCE ADDRESS			
<input checked="" type="checkbox"/> Customer Number		Customer No. 000210	
NAME	Mollie M. Yang		
ADDRESS	Merck & Co., Inc., P. O. Box 2000 - Patent Dept., RY60-30		
CITY	Rahway	STATE	NJ
ZIP CODE	07065-0907		
COUNTRY	USA	TELEPHONE	732-594-6343
FAX	732-594-4720		
Name	Mollie M. Yang	Registration No. (Attorney/Agent)	32,718
Signature	Mollie M. Yang	Date	1/29/2004

EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT January 29, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Deposit Acct. 13-2755
MERCK & CO., INC.
Our Case Docket No. 19634YDACA

Sir:

Transmitted herewith for filing under 37 C.F.R. §1.53(b) is the patent application of Inventor(s):
Bruce L. Daugherty, Julie A. Demartino, Salvatore J. Siciliano and Martin S. Springer

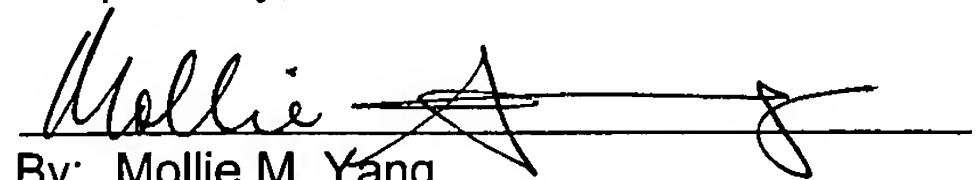
For: EOSINOPHIL EOTAXIN RECEPTOR

For	Number Filed	Number Extra	Rate	Basic Fee \$770
Total Claims	14 - 20 =	0 X	\$18	= \$0
Independent Claims	3 - 3 =	0 X	\$86	= \$0
Multiple Dependent Claims*			\$290	=
* Add this fee if application contains any multiple dependent claims, regardless of number.		TOTAL FILING FEE →		\$770

Please charge my Deposit Account No. 13-2755 in the amount of \$ 770. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 13-2755. Duplicate copy of this sheet is enclosed.

☐ Under the provisions of 37 C.F.R. §1.53, this application is being filed without the declaration of each inventor.

Respectfully,


By: Mollie M. Yang

Attorney _____ For Applicant(s)

Reg. No. 32,718

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732) 594-6343

Date: January 29, 2004

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DATE OF DEPOSIT	<u>January 29, 2004</u>
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MAILED BY <u>Lori Schepisi</u>	DATE <u>January 29, 2004</u>

IN DUPLICATE



Patent Case No. 19634YDA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Burce L. Daugherty, et al.

Serial No.: 09/922,895

Filed: August 6, 2001

Group Art Unit: 1646

Examiner: Prema Maria Mertz

For: EOSINOPHIL EOTAXIN RECEPTOR

PETITION FOR EXTENSION OF TIME UNDER § 1.136(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Applicant(s) hereby petition(s) to the Commissioner for Patents for an extension of the shortened statutory period for replying to the outstanding Office Action dated 07/29/2003 in the above-identified application. A response to said Action is (is not) attached hereto.

Please charge the following fee to Deposit Account No. 13-2755:

- ☐ \$110 -- First Month Extension
- ☐ \$420 -- Second Month Extension
- ☒ \$950 -- Third Month Extension
- ☐ \$1480 -- Fourth Month Extension
- ☐ \$2010 -- Fifth Month Extension

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 13-2755. Duplicate copies of this sheet are enclosed.

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DATE OF DEPOSIT 01/29/2004

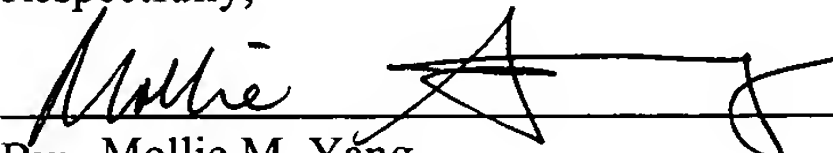
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MAILED BY Lou Schipisi

DATE 1-29-04

Respectfully,



By: Mollie M. Yang

Attorney _____ For Applicant(s)

Reg. No. 32,718

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

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Date: January 29, 2004